

At a regular meeting of the Malone Village Board of Trustees, held on Monday January 26, 2009, at 6:30 p.m., at the Malone Village Meeting Room, located at 16 Elm Street, the following were present:

**BRENT S. STEWART**

**MAYOR**

**Susan Hafter  
Lenora Richards  
Todd LePine  
Dailon Patnode**

**Trustee  
Trustee  
Trustee  
Trustee**

**Also in attendance:**

**Dolly Maguire, Village Treasurer  
Tammy R. LaValley, Village Clerk  
Jeffrey Smith, DPW Supervisor  
Chief of Police, Steve Stone  
MPD Officer Bob Fountain  
Ian Vanier  
Mark Gonyea  
Hugh Hill**

**MINUTES APPROVED FROM THE LAST REGULAR MEETING HELD ON JANUARY 12, 2009.**

**Upon motion made by Trustee Patnode, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, the minutes of the last regular meeting were approved and accepted as received.**

**Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried by the Malone Village Board, the following bills were authorized for payment:**

**BILLS PAID.**

<b>Joint Rec Fund</b>	<b>\$168.18</b>
<b>Revolving Loan Fund</b>	<b>\$1271.13</b>
<b>Sewer Fund</b>	<b>\$19000.92</b>
<b>Water Fund</b>	<b>\$22810.66</b>
<b>General Fund</b>	<b>\$76764.33</b>
<b>Trust &amp; Agency</b>	<b><u>\$84741.98</u></b>
<b>Total</b>	<b>\$204757.20</b>

**CODE APPLICATIONS.**

- 1. MALONE GRANGE  
42 RAYMOND STREET  
MALONE**

**APPLICATION SUBMITTED TO CONSTRUCT A ROOF OVER THE HANDICAP RAMP. ESTIMATED COST IS \$500.00.  
APPLICATION APPROVED BY CODE ENFORCEMENT OFFICER, CHARLES ROBERT.**

**The Malone Village Board reviewed the above listed application and it will be kept on file in the Village Clerk's office.**

**CORRESPONDENCE.**

- 1. SANTA LUCIA'S CAFÉ  
367 W. MAIN STREET  
MALONE**

**NOTIFICATION OF RENEWING THEIR LIQUOR LICENSE.**

The Mayor read a loud the above notification and the Board of Trustees are aware of such notification.

**CAMOIN ASSOCIATES; DISCUSS PROPOSAL FOR CDBG PROGRAM.**

Mayor Stewart announced that we received a proposal for the completion of a 2009 New York State Office of Community Renewal competitive round grant application, from Camoin Associates. This has been being discussed; the monies would be used for more upgrading on the water line; specifically on Duane Street to Main Street.

The Mayor stated that he, the DPW Supervisor and Bob Guminiak, from Burley-Guminiak met and discussed this further. We are waiting for more information from Bob Guminiak and a proposal from them for their part in this whole upgrade. As soon as we know more, we will revisit this item in a future meeting.

**NEW BUSINESS.**

1. **MAYOR STEWART GRANTS PERMISSION TO JERRY FISHER, TIM ROTTIER, JEFF SMITH, AND CRAIG BRAND TO ATTEND A CLASS FOR LINE LOCATION AND LEAK DETECTION BEING OFFERED IN PERU NEW YORK, THROUGH THE NEW YORK RURAL WATER ASSOCIATION. COST FOR EACH PERSON IS \$5.00; TOTAL OF \$20.00. DATE OF THE SCHOOL IS 3/10/09.**
2. **MAYOR STEWART GRANTS PERMISSION TO JERRY FISHER, TIM ROTTIER, AND JAY SHANTY TO ATTEND A BASIC ELECTRICITY CLASS IN CANTON NEW YORK ON 3-25-09; COST FOR EACH PERSON IS \$30.00. THIS CLASS IS BEING OFFERED BY THE NEW YORK RURAL WATER ASSOCIATION.**
3. **2007-2008 AUDIT OF THE CHIEF FISCAL OFFICER'S RECORDS COMPLETED.**

Trustees Richards and Hafter stated that everything was in order and was very neat and easy to follow.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried by the Malone Village Board, the 2007-2008 Audit of the Chief Fiscal Officer's records was approved and accepted as received.

4. **DECEMBER 31, 2008 JOINT REC FUND FINANCIAL REPORT.**

Treasurer Maguire stated that the only comment she had was to let the board know that the Malone Minor Hockey Association was sent the Budget Packet just as the other departments were.

Upon motion made by Trustee Hafter, seconded by Trustee Richards and unanimously carried by the Malone Village Board, the Joint Rec Fund Financial Report ending December 31, 2008 was approved and accepted as received.

5. **EDI SPECIAL GRANT PROJECT B-01-SP-NY-0479; CLOSE OUT REQUEST FROM THE VILLAGE OF MALONE TREASURER.**

The treasurer stated that this is unused money that is due back to HUD; we have to account for every penny of this money.

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the close out of the EDI Special Grant Project B-01-SP-NY-0479 was approved as requested by the Village Treasurer.

**6. CAPITAL PROJECT – PAST WATER METER PROJECT.**

The treasurer stated that there is a balance in the Capital Project fund in the amount of \$5877.58 that she believes was for the past water meter project. It was never closed out; the treasurer would like to transfer this money to the water fund.

Upon motion made by Trustee LePine, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, the treasurer is authorized to transfer the balance of monies as stated above from the capital fund to the water fund.

**7. STOP DWI MONIES.**

Chief of Police Steve Stone announced that we are receiving some DWI monies in the amount of \$8259.87.

Chief Stone also stated that Officer Robert Fountain is here tonight to tell the Board and Mayor more about the training he attended in regards to the Taser program. Part of the following budget amendment has to do with Taser Units, the taser camera, and cartridges. Officer Fountain explained that this unit will be very helpful to the department. There are no lasting effects from the taser and by using the taser, the officers do not have to use lethal force. And it gives a distance between the officer and the subject. The Trustees and Mayor were given a lot of information and asked a lot of questions. The board and the mayor thanked Officer Fountain for the great presentation and for all of the helpful information.

**8. BUDGET AMENDMENTS.**

**GENERAL FUND  
BUDGET AMENDMENT NO. 25-2008/2009**

**OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER**

**RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS  
RESOLVED: THAT THE FOLLOWING AMOUNT(S) BE AND THE SAME HEREBY IS  
(ARE) APPROPRIATED/TRANSFERRED.**

**\$5,200.93 FROM ACCOUNT NO. A511.2 Appropriated Forfeiture Fund Reserve**

**AS FOLLOWS:**

**\$1,513.08 TO ACCOUNT NO. A3120.1 Police Officer Salaries (Forfeiture Fund)**

**\$3,687.85 TO ACCOUNT NO. A3120.4 Police Other Expenses (Forfeiture Fund)**

**MOTION MADE BY: Trustee Lenora Richards**

**SECONDED BY: Trustee Todd LePine**

**APPROVED BY BOARD OF TRUSTEES ON: 01-26-2009**

**GENERAL FUND  
BUDGET AMENDMENT NO. 26-2008/2009**

**OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER**

**WHEREAS, the Village of Malone's Police Department participated in Franklin County's 2008 STOP-DWI Program, and**

WHEREAS, the Malone Village Police Department made fifty seven (57) arrests during 2008 and is entitled to Eight Thousand Two Hundred Fifty Nine and Eighty Seven Cents (\$8,259.87), and

WHEREAS, the monies received will be used for continued Driving While Intoxicated enforcement efforts: NOW THEREFORE, BE IT

RESOLVED: The Village Board of Trustees amends their General Fund Budget as follows: Increase Revenue Code A2260.1 Police Services (DWI) Revenues by \$8,259.87

Increase Appropriation Code No.: A3120.1 Police Salaries (DWI) by \$8,259.87

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Susan Hafter

APPROVED BY BOARD OF TRUSTEES ON: 01-26-2009

GENERAL FUND  
BUDGET AMENDMENT NO. 27-2008/2009

OFFERED BY: DOROTHY MAGUIRE, BUDGET OFFICER/TREASURER

RELATING TO THE APPROPRIATION AND/OR TRANSFER OF FUNDS  
RESOLVED: THAT THE FOLLOWING AMOUNT(S) BE AND THE SAME HEREBY IS (ARE) APPROPRIATED/TRANSFERRED.

\$ 3,000.00 FROM ACCOUNT NO. A5110.4 Street Repairs Other Expenses (Diesel)

AS FOLLOWS:

\$ 3,000.00 TO ACCOUNT NO. A5140.4 Misc. Brush & Leaf Other Expenses (Diesel)

MOTION MADE BY: Trustee Dailon Patnode

SECONDED BY: Trustee Todd LePine

APPROVED BY BOARD OF TRUSTEES ON: 01-26-2009

**9. VOM FINANCIAL REPORT FOR THE PERIOD  
ENDING DECEMBER 31, 2008.**

Upon motion made by Trustee Richards, seconded by Trustee LePine and unanimously carried by the Malone Village Board, the VOM Financial Report for the period ending December 31, 2008 was approved and accepted as received.

**10. PLANNING BOARD MEETING SCHEDULED FOR  
WEDNESDAY, JANUARY 28, 2009 AT 6:00 P.M. IN  
REGARDS TO A WALL SIGN FOR PERYEA  
LABARGE REAL ESTATE, 7 ROCKLAND STREET.**

**11. COMMITTEE REPORTS.**

Trustee Richards stated that there have been three primary negotiation meetings with the unionized police members.

Trustee Hafter stated that there is a scoping session for the LWRP on Tuesday, February 3, 2009 and a BOA meeting on Thursday, February 5, 2009 at 2 p.m. The Village Clerk was unaware of this BOA meeting; Trustee Hafter would double check on this to see if it is indeed scheduled. She will let the clerk know.

**12. REQUEST FROM WILLIAM ARCHER TO EXCUSE WATER  
BILL AND WATER TURN OFF CHARGES TOTALING \$316.33.**

The Board of Trustees discussed this issue and reviewed all of the notes, past due bills and history on this account. The board feels that Mr. Archer is responsible for the charges.

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by the Malone Village Board, this request was denied and Mr. William Archer is responsible for this total bill in the amount of \$316.33.

13. **DISCUSS CONCERN OF A RESIDENT IN REGARDS TO PARKING ON THE CORNER OF PARK AND ELM STREET (IN FRONT OF LIBRARY); THERE IS A NO PARKING SIGN THERE. ALSO, DISCUSS "NO LEFT TURN" OFF OF PARK STREET TO ELM STREET.**

The mayor received a phone call from a concerned resident who would like to see a no left turn sign at the corner of Elm and Park Street. There is not anything the Village can do about this because it is dictated by State Specs for access on and off the State roads. The Trustees and Mayor discussed this in detail.

The resident also mentioned that where there is a no parking sign, but people are parking in front of the library where there should be no parking; this makes it difficult to see when you are at that corner to turn. Accidents are going to take place. The Chief of Police stated that he would have the officers watch this area closer to see if individuals are using this no parking zone or handicap zone when they should not be.

14. **MAYOR STEWART GRANTS PERMISSION TO OFFICER PREVE AND OFFICER MARTIN TO ATTEND THE STANDARDIZED CHILD PASSENGER SAFETY TECHNICIAN CERTIFICATION COURSE. COST IS \$60.00 PER PERSON.**
15. **PROCLAMATION – CATHOLIC SCHOOLS WEEK; HOLY FAMILY SCHOOL.**

### PROCLAMATION

RELATING TO: CATHOLIC SCHOOLS WEEK

WHEREAS, the Malone Catholic Schools have always been dedicated to the education of boys and girls from this community for over 100 years; and

WHEREAS, Holy Family School will celebrate Catholic Schools Week, from January 25, 2009 through January 30, 2009; and

WHEREAS, Holy Family School has contributed to the Catholic education of our children; and

WHEREAS, Holy Family School has been closely allied with the civic community in many areas; and

WHEREAS, the education provided by Holy Family School will prepare our young people for their roles in life outside the school.

NOW, THEREFORE, as Mayor of the Village of Malone, I hereby

proclaim the week of January 25, 2009 through January 30, 2009, as Catholic Schools Week in the Village of Malone, in honor of the accomplishments of our Catholic schools.

DATED: \_\_\_\_\_

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Todd LePine, Deputy Mayor  
Village of Malone, New York

Deputy Mayor LePine presented this proclamation to the Holy Family School and the Mayor declared the week of January 25-30, 2009, Catholic Schools Week.

**OLD BUSINESS.**

The Chief of Police stated that they are having a small problem with some leaks in the roof over at the police department again. Not as bad as last time, but there are a few spots that need some repairing.

**MOTION TO GO INTO EXECUTIVE SESSION IF WARRANTED.**

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried by the Malone Village Board, this meeting went into executive session for the purpose of negotiations.

Upon motion made by Trustee Patnode, seconded by Trustee Hafter and unanimously carried by the Malone Village Board, this meeting came out of executive session.

Upon motion made by Trustee Patnode, seconded by Trustee LePine and unanimously carried by the Malone Village Board, this meeting was back in regular session.

Upon motion made by Trustee Hafter, seconded by Trustee Patnode and unanimously carried by the Malone Village Board, the health insurance plan year, including dental and vision, will be on a fiscal year calendar, which is June 1 through May 31, to reflect the FSA plan year instead of a calendar year; this excludes Teamsters insurance which covers the most of the Police Department members.

**ADJOURN.**

Upon motion made by Trustee LePine, seconded by Trustee Patnode and unanimously carried by the Malone Village Board, this meeting adjourned at 8:07 p.m.

**RESPECTFULLY SUBMITTED:**

**TAMMY R. LAVALLEY**  
Malone Village Clerk